

Fresno, California

May 19, 2011

The City Council met in regular session at the hour of 9:05 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Oliver Baines III	Councilmember
	Andreas Borgeas	Councilmember
	Clinton Olivier	Acting Council President
	Sal Quintero	Councilmember
	Blong Xiong	Councilmember
	Larry Westerlund	Councilmember
	Lee Brand	Council President

Mark Scott, City Manager
Bruce Rudd, Assistant City Manager
Jim Sanchez, City Attorney
Becky Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

Councilmember Quintero gave the invocation and President Brand led the Pledge of Allegiance.

PROCLAMATION OF “AMERICORP WEEK” – COUNCILMEMBER XIONG

Read and presented.

PROCLAMATION OF “BRINGING BROKEN NEIGHBORHOODS BACK TO LIFE DAY” – COUNCILMEMBER BAINES

Read and presented.

PROCLAMATION OF “CALIFORNIA STATE UNIVERSITY, FRESNO’S CENTENNIAL COMMENCEMENT CEREMONY” – MAYOR’S OFFICE

Read and presented.

APPROVE MINUTES OF MAY 12, 2011:

On motion of Councilmember Westerlund, seconded by President Brand, duly carried, RESOLVED, the minutes of May 12, 2011, approved as submitted.

COUNCIL MEMBER REPORTS AND COMMENTS:

Councilmember Xiong (1) reported on his representing the city this past Tuesday as a California Volunteer Commissioner and spoke to their work, funding and funding cuts; (2) congratulated Bill Kuebler and the Tower marketing group for their work on Taste of the Tower; (3) thanked the Patanque group for their international tournament at Cary Park and spoke briefly to the event; (4) thanked ACM Rudd for attending the community meeting held on parks fees and advised of a request to Council from the community for another evening meeting with at least seven days notice for planning purposes; (5) thanked Brian Jones and all involved in the Bike Fresno event for their work and advised of the \$250 cost to sponsor bike racks which will be placed throughout the community; and (6) thanked the Hmong-American Ad Hoc Committee for their Appreciation Day event this past weekend at the fairgrounds and for the work they do.

Councilmember Baines (1) reported on his trip to Sacramento with RDA Chair Westerlund, Director Murphey and Governmental Affairs Manager Stevens for a meeting on the status of the elimination of redevelopment agencies, spoke to their discussions with numerous officials, and stated generally there was some will to preserve the RDAs but there was also that same will to do some real reform and further elaborated; (2) reported last Saturday he sat on a Stop the Violence panel in which he spoke to the different types of violence and stated it was a very well done event; (3) also expressed his appreciation to all who attended the community meeting on parks fees, stated there was some sentiment that some of the community would be open to possible increased fees, and thanked ACM Rudd for his leadership and explaining the issues and responding to questions; (4) stated last evening he attended his first Prince concert and had a very good time and encouraged all to attend a Prince concert; and (5) reiterated his request for an update on the NSP1 program adding NSP3 was coming up.

Councilmember Westerlund, pursuant to AB 1234, also reported to the trip to Sacramento with the Redevelopment Agency and spoke to their meeting with Assemblymember Linda Halderman whom he stated was still very positive about the support for RDAs, and stated he felt the issue was still wide open over there and there was really no clue which way things were going to go and further elaborated.

President Brand (1) advised this weekend the California Classic 30/60/100-Mile Bike Ride would be held which already had about 1500 riders signed up; (2) stated this Saturday was also the St. Baldrick's fundraiser for childhood cancer; (3) advised Congressman Jeff Denham made a request to speak to the Council, with no specific topic, and he would be here at 1:30 p.m. today; and (4) stated he got close to the Save Mart Center last night when he dropped his wife and daughter off at the Prince concert.

APPROVE AGENDA:

On motion of Acting President Olivier, seconded by President Brand, duly carried, RESOLVED, the **AGENDA** hereby approved as presented, by the following vote:

Ayes	:	Baines, Borgeas, Olivier, Quintero, Xiong, Westerlund, Brand
Noes	:	None
Absent	:	None

ADOPT CONSENT CALENDAR:

Barbara Hunt, 2475 S. Walnut, spoke to Item 1-F and the need to negotiate with Fresno County for more money, and also spoke to capital improvement projects **(2 – 0)**.

(1-B) ACTIONS RELATING TO THE WILLOW AVENUE WIDENING PROJECT TO SIX LANES BETWEEN BARSTOW AND ESCALON AVENUES

#1 APPROVE THE ENVIRONMENTAL FINDING OF CONFORMITY FOR ENVIRONMENTAL ASSESSMENT NO. EA-10-11 DATED 4/16/10, CONCLUDING THE PROJECT IS FULLY WITHIN THE SCOPE OF MASTER EIR 10130 AND THE MITIGATED NEGATIVE DECLARATION FOR PLAN AMENDMENT NO. A-09-02 (AIR QUALITY MND)

#2 APPROVE THE PARTIAL ACQUISITION OF TWO PUBLIC STREET EASEMENTS AND TWO MULTI-PURPOSE TRAIL EASEMENTS AT NO COST FROM TWO PARCELS (APN 420-020-13t AND 410-050-27T) THAT ARE NECESSARY FOR THE PROJECT; AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION

(1-C) ACTIONS RELATING TO THE CONSTRUCTION OF PEDESTRIAN FACILITIES ON BULLARD AVENUE FROM DEL MAR TO GLENN AVENUES, ON CEDAR AVENUE FROM MCKINLEY TO BELMONT AVENUES, AND ON SHAW AVENUE FROM PALM TO WEST AVENUES

#1 ADOPT FINDING OF A CATEGORICAL EXEMPTION PURSUANT TO CEQA (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES, INFILL DEVELOPMENT PROJECTS, AND MINOR ALTERATIONS TO LAND)

#2 AWARD A CONSTRUCTION CONTRACT FOR THE PROJECT TO LOCKWOOD ENGINEERING, INC., IN THE AMOUNT OF \$250,866.41; AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN THE CONTRACT ON THE CITY'S BEHALF

(1-D) ACTIONS RELATING TO CONSTRUCTION OF PEDESTRIAN FACILITIES ON OLIVE AVENUE FROM WEBSTER TO FRESNO STREET, AND ON CEDAR AVENUE FROM FIR TO ALLUVIAL AVENUES

#1 ADOPT FINDING OF A CATEGORICAL EXEMPTION PURSUANT TO CEQA (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES, INFILL DEVELOPMENT PROJECTS, AND MINOR ALTERATIONS TO LAND)

#2 AWARD A CONSTRUCTION CONTRACT FOR THE PROJECT TO DAVE CHRISTIAN CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$163,039.56; AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN THE CONTRACT ON THE CITY'S BEHALF

(1-E) RESOLUTION NO. 2011-90 - INTENT TO ANNEX A PORTION OF FINAL TRACT NO. 5838 AS ANNEXATION NO. 43 TO CFD NO. 11, NORTHSIDE OF COPPER RIVER DRIVE BETWEEN CEDAR AND MAPLE AVENUES; AND SETTING THE REQUIRED PUBLIC HEARING FOR JUNE 16, 2011

(1-F) BILL NO. B-16 - AMENDING THE FRESNO MUNICIPAL CODE RELATING TO LOCAL SALES AND USE TAXES, PURSUANT TO THE MEMORANDUM OF UNDERSTANDING WITH FRESNO COUNTY (ANNUAL AMENDMENT)

On motion of Councilmember Baines, seconded by President Brand, duly carried, **RESOLVED**, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Baines, Borgeas, Olivier, Quintero, Westerlund, Xiong, Brand
Noes	:	None
Absent	:	None

CONTESTED CONSENT CALENDAR:

(1-A) APPROVE AN EXTRA-TERRITORIAL SERVICE AND OFFISTE INFRASTRUCTURE AGREEMENT WITH THE SANGER UNIFIED SCHOOL DISTRICT (SUSD), CONTINGENT UPON FINAL APPROVAL OF THE SUSD'S EXTENSION OF SERVICES APPLICATION WITH LAFCO; AND AUTHORIZE THE DIRECTOR OF PUBLIC UTILITIES TO SIGN THE AGREEMENT ON BEHALF OF THE CITY

Councilmember Westerlund stated he had a great deal of concern with this matter stating the SUSD chose not to annex into the city, he felt the area should be in the city of Fresno and meet all planning and development requirements if city services are going to be provided, and unbeknown to the City the district sunk an agricultural well to service the water from that area rather than tie immediately into the city's well services, and stated he was not sure if this was a good way to do planning and presented questions and additional comments at length relative to why the district has not annexed into the city, if there was an agreement with LAFCO to annex at some point, if the LAFCO requirement to annex when certain criteria is met was not in place in this case, the question/issue being *when are they going to annex?*, strong belief that this should not be done until and unless the City gets an agreement from the district stating upon certain conditions being met they will annex, lack of development standards and infrastructure, issues related to the temporary well, the need for the district to pay public safety impact fees since they are in the Sphere of Influence, and inability to support this until there is some sort of an agreement that they will annex and pay appropriate impact fees, with Assistant Public Utilities Director Querin and City Engineer Mozier responding to questions and/or clarifying issues throughout. City Manager Scott recommended, as a way to make this more clear for everyone, that this matter go back to staff so they can work on the issue and engage in discussions with Sanger about putting into an agreement upfront what the conditions of annexation will be when the day comes. Councilmember Westerlund made a motion to refer the matter back to staff to meet with Sanger Unified on an agreement outlining when/how they will annex into the city and what those triggers are, and addressing potential impact fees and other conditions, which motion was seconded by Councilmember Baines.

Upon question of Councilmember Quintero Mr. Querin stated this matter was time sensitive for Sanger in that a school was under construction, they were planning on opening and operating in August, and even though the district could serve the school from their well they opted to take the city's water/service. Councilmember Quintero spoke to Sanger passing a bond specifically for new schools, stated a number of students from Granville and Lennar homes (in the city limits) will be attending Sanger schools, and a critical issue will be the need for traffic signals out there, and stated he would think Sanger would have the wherewithal to work with the City a little bit better. Mr. Querin stated land planning issues could be seen as a different issue from this water issue and further explained.

Mr. Scott stated there was a lot he was happy about with this agreement -- in particular the monitoring of wells which staff worked very hard on, stated he was not suggesting to put this agreement off or change it in any way, and clarified based on Council's questions/concerns his earlier suggestion was to go back and try have a dialog with Sanger very quickly and try to tie down what the conditions on ultimate annexation would be as he felt the conditions at the point of annexation were worth discussing. City Attorney Sanchez added the LAFCO conditions require these services or an annexation, the district chose to take this route but in order for them to get that condition met they had to have an agreement with the City, and stated because of that there was a basis upon which to request further concessions from them in order to accommodate their needs. Upon question as to whether a time line needed to be included in the motion Mr. Scott stated staff would provide an update in a couple of weeks on where the matter stands and what they think it will take.

Barbara Hunt 2475 S. Walnut, spoke in opposition to the item.

On motion of Councilmember Westerlund, seconded by Councilmember Baines, duly carried, **RESOLVED**, Item **1-A** referred back to staff to meet with Sanger Unified on an agreement outlining when/how they will annex into the city and what those triggers are, and addressing potential impact fees and other conditions, by the following vote:

Ayes	:	Baines, Borgeas, Olivier, Quintero, Westerlund, Xiong, Brand
Noes	:	None
Absent	:	None

(9:15 A.M.) AUTHORIZE THE INTERIM DARM DIRECTOR TO EXPAND THE PROFESSIONAL SERVICES AGREEMENT WITH DYETT & BHATIA URBAN AND REGIONAL PLANNERS TO INCLUDE AN ADDITIONAL AMOUNT NOT TO EXCEED \$700,000 TO COMPLETE THE TECHNICAL STUDIES RELATED TO THE FRESNO 2035 GENERAL PLAN AND DEVELOPMENT CODE UPDATE AS APPROVED AND FUNDED BY THE CITY'S GRANT AWARD FROM PROPOSITION 84 ADMINISTERED BY THE CALIFORNIA STRATEGIC GROWTH COUNCIL

Assistant DARM Director Bergthold gave an in-depth review of the issue and recommended approval, all as contained in the staff report as submitted, added with this contract in place staff will be requesting the City Council to appoint members to a citizens advisory committee that will oversee this process, and advised Mark Steele, a partner in the Dyett & Bhatia team, was present and available to answer any questions on the scope of work.

Barbara Hunt, 2475 S. Walnut, expressed concerns/opposition to DARM's name change, contract funding, and conducting more studies.

Councilmember Borgeas questioned if this was time sensitive, noted lengthy discussions occurred in the past about having a comprehensive meeting of the Council and planning commission in July after the budget process, and questioned if it would be better to delay this matter until after that meeting is held so Council can get a better feel for what the general plan process is all about and what it is and is not going to do. City Manager Scott stated he would argue that this matter was time sensitive, stated staff made commitments to Council on many occasions that they would keep the general plan process moving and would not fall behind schedule, added this was part of the initial RFP when the consultant was chosen and the only reason this was not approved initially was because Council pushed the general plan part of the spending back, stated staff went out and found other funds and the funding was now lined up, clarified the talks/purpose about having a big workshop was to provide input into the general plan process so that the end result is a document that the city wants to guide its future, and stated these consultants would receive that input, take the city through the process, and produce the product the city asks them to produce guided by the workshop. Mr. Bergthold added he did not think any of the work that would be done here would preclude or in any way jeopardize the Council's ability to influence the strategy, vision or goal, and responded to additional questions relative to the time line and total cost for the general plan update. Councilmember Borgeas acknowledged a few instruments were in motion but stated it was still unclear how all the pieces fit together, stated he felt the City Council as a body was missing something here, stated the original intent of having the comprehensive workshop early on was to discuss strategy and how the general plan works in that process, and questioned if it would be a problem delaying this matter until after the workshop and discussions are held in July. Mr. Scott stated staff was really committed to trying to stay on the time lines, he heard exactly what was being said and acknowledged there were many pieces to the general plan and did not know if those pieces had been clearly identified and how they all fit together, and stated if Council felt it would help staff could put together relatively quickly a road map and a program identifying what the pieces are so Council knows what it is that they are approving, or staff could meet individually with members and walk through what the pieces are and what they authorize so Council is clear on what they are approving, with Councilmember Borgeas stating that would be helpful.

Councilmember Westerlund spoke to his understanding of how the 2025 general plan and MEIR came to be, to the similar discussion that was held a couple of years ago when the this update was beginning, and to how Council funded only half of 2035 general plan and update and asked staff to find the rest of the dollars that were not general fund related; suggested Council move forward on this and still have a valid discussion in July on the update to the 2025 plan along with all pertinent, accurate, up-to-date information to enable Council to have that discussion; stated a key point here was staff found the needed funding and that relieved all the pressure from impacting the general fund at all; and stated he also wanted to try to stay on the time lines, added this item could be approved and the discussion would still be held without losing anything, and upon his question Mr. Bergthold stated these grants were time sensitive and expanded further. **(3 - 0)** Councilmember Westerlund stated he would hate to lose the grant funds, this was going to have to be done sooner or later as the MEIR was going to be open to legal challenge very soon, and made a motion to approve staff's recommendation, which motion was seconded by Councilmember Baines.

President Brand presented questions and comments relative to whether the revised estimate was down from the original estimate, last year's budget motion to defer the use of the \$1 million that was budgeted to partially pay for the update, if staff was applying for an additional \$2 million in grant money, consequence if work is not completed by June 2012, and what the normal time line was to update the general plan, with Mr. Bergthold and Mr. Scott responding. President Brand stated the City had a tendency to over plan, even though grant funds were at issue here stated the money still comes out of the pockets of taxpayers, and given the assurance by the city manager that by approving this the general fund will be protected stated he could support this and added he appreciated all the work staff has put into this. Councilmember Borgeas stated he would definitely take up the city manager's suggestion to meet with staff because this was very complex and he needed to understand this issue with more detail and clarity, and requested a one week delay so he could meet with staff, which after brief discussion was accepted by the motion-makers.

On motion of Councilmember Westerlund, seconded by Councilmember Baines, duly carried, RESOLVED, Item 9:15 a.m. continued one week for action, by the following vote:

Ayes	:	Baines, Borgeas, Olivier, Quintero, Westerlund, Xiong, Brand
Noes	:	None
Absent	:	None

(9:30 A.M.) RESOLUTION NO. 2011-91 - SUPPORTING THE CALIFORNIA AIR RESOURCE BOARD'S EFFORT TO PROMOTE CLEAN AND ENERGY EFFICIENT MOTOR VEHICLES, ENERGY INDEPENDENCE, ZERO EMISSION TECHNOLOGIES, AND IMPROVE THE QUALITY OF LIFE IN CALIFORNIA – COUNCILMEMBER XIONG

Councilmember Xiong stated the City has been a leader in many of these areas and gave a brief overview of the issue including some of the impacts that are trying to be addressed. Sustainability Manager and City Green Team Chair Oldham stated this resolution was perfectly in line with the City's goals and objectives, it supported the state's efforts to reduce vehicle emissions which are a substantial contributor to our air quality, and this was an important piece of the overall strategy for the valley in trying to achieve air quality standards and improve the health of citizens. Councilmember Xiong raised the issue of costs that are sometimes associated with things passed at the state level and upon his question Mr. Oldham stated there would be no direct cost to the City for this support and clarified this measure would look at making more stringent requirements on vehicle manufacturers for the evaporative emissions, which are the gas fumes that come off vehicles after they have been driven or while they are being refueled, which he stated were a major contributor to our ozone problem and further explained.

Upon the request of Councilmember Xiong Mike Wells from Fresno Metro Ministry, and Elizabeth Jonassan with Coalition for Clean Air, expressed their support stating this was a win-win for everyone, it would not cost the City anything and the returns would be great, the San Joaquin Valley would come out the biggest winner in the state just because of the serious air pollution problems it has, this was not support for a specific regulation or standard but was support for a concept, the City of Fresno would be saying it cares and believes clean cars are important and wanted, and all major auto manufacturers were actively engaged and had come out saying it was technically feasible to reach even the higher end of the standards looking to be set at the federal level, and urged Council's support.

Councilmember Xiong stated support for things like this only strengthen the City's efforts when going after grants and made a motion to adopt the resolution, which motion was seconded by Councilmember Baines.

Barbara Hunt, 2475 S. Walnut, stated the bigger issue here was attempts to take over agricultural land and explained.

Councilmember Westerlund stated he definitely wanted to see clean air in the valley and has been a strong advocate for that in many avenues but stated he could not support this resolution from a number of perspectives; advised one concern he had was the state, and particularly the valley, running at 18% unemployment stating when California leads like this we make ourselves uncompetitive and at a disadvantage on a statewide and national basis and explained, and added he strongly believed we should have standards but felt they should be national standards; and stated he had another significant issue with the California Air Resources Board (CARB) which he stated was a faceless, bureaucratic organization with zero or very limited accountability. Councilmember Baines stated he was supportive of the resolution precisely because of the 18% unemployment rate stating clean energy and conservation efforts will be some of the number one job generators in the world and he felt it would be incumbent upon the state to lead the train and have Fresno be a part of that and expanded further. Councilmember Borgeas left the meeting at 11:04 a.m. President Brand stated he also had some reservations and Councilmember Westerlund brought up some valid issues but stated his granddaughter suffers from asthma, as a lot of others do, and he felt Council had a responsibility as elected officials to help in the health of our population and added he fully supported this item.

On motion of Councilmember Xiong, seconded by Councilmember Baines, duly carried, RESOLVED, the above entitled Resolution No. 2011-91 hereby adopted, by the following vote:

Ayes	:	Baines, Olivier, Quintero, Xiong, Brand
Noes	:	Westerlund
Absent	:	Borgeas

(10:45 A.M.) HEARING ON PLAN AMENDMENT APPLICATION NO. A-11-01, REZONE APPLICATION NO. R-11-01 AND ENVIRONMENTAL FINDINGS, FILED BY JOSEPH GUAGLIARDO OF COMPREHENSIVE PLANNING ASSOCIATES, ON BEHALF OF THE UNITED STATES POSTAL SERVICES, PROPERTY LOCATED ON THE SOUTH SIDE OF E. NEES BETWEEN N. FIRST AND N. BOND STREETS

#1 ADOPT THE ENVIRONMENTAL FINDING OF A MITIGATED NEGATIVE DECLARATION PREPARED FOR E.A. NO. A-11-01/R-11-01/C-11-008

#2 RESOLUTION NO. 2011-92 - AMENDING THE 2025 FRESNO GENERAL PLAN AND WOODWARD PARK COMMUNITY PLAN (APPROVING PLAN AMENDMENT NO. A-11-01)

#3 BILL NO. B-17 - ORDINANCE NO. 2011-15 - AMENDING THE OFFICIAL ZONE MAP TO REZONE THE SUBEJCT PROPERTY FROM R-A/UGM TO C-2/UGM

President Brand announced the time had arrived to consider the issue and opened the hearing. Councilmember Borgeas returned to the meeting at 11:06 a.m.

Planner Brock gave a PowerPoint presentation on the issue which consisted of a Vicinity Map, Aerial Photograph, Plan Amendment, Rezone Application, Area Zoning Map, Conditional Use Permit Application Filed, Architectural Rendering of the Car Wash, and Recommendations of the District 6 Plan Implementation Committee, Planning Commission and Staff to Approve.

Speaking to the issue were: Joe Guagliardo, representing the Post Office, who thanked Ms. Brock for her assistance and expanded briefly on the project design and traffic impact study; and Barbara Hunt who expressed concern with taking land, homes and schools to give to developers.

Upon call, no one else wished to be heard and President Brand closed the hearing.

President Brand stated he met with the developer on this project, advised the school did not exercise the option to take the land and the land was vacant, and clarified the CUP was not being approved this date and made a motion to approve.

On motion of President Brand, seconded by Acting President Olivier, duly carried, RESOLVED, the subject environmental finding hereby adopted, the above entitled Resolution No. 2011-92 adopted, and the above entitled Bill No. B-17 adopted as Ordinance No. 2011-15, by the following vote:

Ayes	:	Baines, Borgeas, Olivier, Quintero, Westerlund, Xiong, Brand
Noes	:	None
Absent	:	None

(11:00 A.M.) MAYOR’S PRESENTATION OF THE CITY OF FRESNO’S FISCAL YEAR 2012 BUDGET

President Brand stated public comment was not required and this would be a presentation to Council only, and added budget workshops would start next week wherein the public would have opportunities to provide input.

Mayor Swarengin, along with City Manager Scott and Budget Director Smith, gave a PowerPoint presentation entitled “Mayor’s Proposed Budget-Overview” which contained an Introduction (seventh consecutive budget with significant reductions and Scenarios 1 and 2 – the Administration’s Recommendation and Council Budget Options), General Fund 5-Year Forecast, Guiding Principles, Programs/Services in the Budget **(4 – 0)**, FY 2012 Work Plan, Financial Overview of the City, Scenario #1-the Administration’s Recommendation, General Fund 5-Year Forecast Assumptions, and Scenario #2 – Council Budget Options. Mayor Swarengin concluded emphasizing she was not recommending Scenario #2, stated there was a path forward but it required a change in the way things are done around here and encouraged Council to consider the options being presented today, added the city has been under turbulent waters for longer than it has realized and her recommended plan would allow the City to get its head above the water, added it was going to take another ten years to be on solid ground but the first step was for the city to get its head up above water and keep it up, and stated she looked forward to working with Council over the next 5-6 weeks and added a good process for information was in place.

Councilmembers Borgeas, Xiong, Olivier and President Brand presented comments and questions which included a request to elaborate further on achieving a structural balance for the first time in eight years, if the economic downturn compounded preexisting problems, if keeping parks/pools/community centers open was on the presumption of outsourcing or public/private partnerships, time line/when privatization of commercial waste would be realized in Scenario #1, if the 3% concessions had to go through each bargaining unit, Scenario #2/closing of fire stations/if public safety personnel would be laid off, appreciation for the city’s outlook, need to be as creative as possible and desire to work with the budget director to discuss options, support for the pothole strike team, if the state’s tax revenue windfall will affect the city, if privatizing commercial waste will have to go out for an RFP if it comes back, the growth from FY 11 to FY 12, property tax assumption/what the assumed delinquency rate was, and the number of assumptions this budget is based on, the lack of room for changes, the outstanding \$26 million deficit, and the extreme difficulty officials will have putting this budget together and not compromise the core services, with Mayor Swarengin, Mr. Scott, Ms. Smith and City Attorney Sanchez responding throughout. The administration and staff were thanked and there was no further discussion.

LUNCH RECESS – 12:04 P.M. – 1:30 P.M.

(1:30 P.M.) TEFRA HEARING AS REQUIRED BY THE INTERNAL REVENUE CODE OF 1986 TO HEAR AND CONSIDER INFORMATION CONCERNING THE PROPOSED ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO FINANCE THE ACQUISITION AND REHABILITATION OF A 60-UNIT MULTIFAMILY LOW-INCOME RESIDENTIAL RENTAL PROJECT COMMONLY KNOWN AS “PLEASANT VIEW APARTMENTS”

#1 RESOLUTION NO. 2011-93 - APPROVING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY’S ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6 MILLION FOR THE “PLEASANT VIEW APARTMENTS PROJECT”

President Brand announced the time had arrived to consider the issue and opened the hearing. Finance Director/City Controller Gray gave a brief overview and recommended approval, all as contained in the staff report as submitted.

Barbara Hunt, 2475 S. Walnut, spoke in support.

Upon call, no one else wished to be heard and President Brand closed the hearing.

On motion of Councilmember Baines, seconded by Acting President Olivier, duly carried, RESOLVED, the above entitled Resolution No. 2011-93 hereby adopted, by the following vote:

Ayes	:	Baines, Borgeas, Olivier, Quintero, Westerlund, Xiong, Brand
Noes	:	None
Absent	:	None

SPECIAL VISIT/APPEARANCE BY CONGRESSMAN JEFF DENHAM

Congressman Denham made an informal appearance before the City Council and gave brief updates on issues including jobs, the upcoming highway bill, and town hall meetings on veteran's issues, and stated he looked forward to working with the Council and introduced his district director Bob Rucker. Councilmembers Xiong, Baines, Olivier, Westerlund, Borgeas and President Brand all thanked Congressman Denham for coming to speak to Council and spoke briefly to their appreciation of the congressman's staff, AmeriCorp funding, the pending legislation on excess property (**5 – 0**), appreciation for the congressman's level of engagement and taking time out of his schedule to attend a number of Fresno events, and the rarity of having a valley congressman visit the City Council.

UNSCHEDULED COMMUNICATION:

Barbara Hunt spoke to wars and the need for everyone to stay strong and stick together; and commended city officials and staff for their work.

SCHEDULED COMMUNICATIONS:

#1 APPEARANCE BY MICHAEL JORDAN TO INTRODUCE THE "SAY YES! DRUG FREE NEIGHBORHOODS" NON-PROFIT ORGANIZATION

Request to appear withdrawn.

#2 APPEARANCE BY BARBARA HUNT TO DISCUSS THE 2025 GENERAL PLAN, SOUTHWEST FRESNO AND THE EDISON DISTRICT

Appearance made/no action taken.

ADJOURNMENT

There being no further business to bring before the City Council, the hour of 1:58 p.m. having arrived and hearing no objection, President Brand declared the meeting adjourned.

Approved on the ____26th____ day of ____May____, 2011.

_____/s/_____
Lee Brand, Council President

ATTEST: _____/s/_____
Yolanda Salazar, Assistant City Clerk